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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

SHERRY HOUTKIN et al.,

Plaintiffs,

v.

SHARP HEALTHCARE,

Defendant and Respondent;

FREE SACRED TRINITY CHURCH et al.,

Objectors and Appellants.

D055754, D056738

(Super. Ct. No. 37-2008-00066427)

ORDER MODIFYING OPINION
AND DENYING REHEARING

[NO CHANGE IN JUDGMENT]

THE COURT:

It is ordered that the opinion filed herein on December 15, 2010, be modified as follows:

On page 2, first paragraph, first full sentence, DELETE the word "spa" and REPLACE it with "spiritual and healing mission" so that the sentence reads: "Sharp subpoenaed records from the Optimum Health Institute (OHI), a non-party, after learning

that Houtkin had spent two or three weeks at its Lemon Grove spiritual and healing mission immediately before his emergency surgery."

The court meant no disrespect to Free Sacred Trinity Church or its mission in describing the Optimum Health Institute as a "spa."

There is no change in the judgment.

Appellants' petition for rehearing is denied.

McINTYRE, Acting P. J.

Copies to: All parties